

REMARKS

This Preliminary Amendment is being submitted in a continuing application that is being filed in response to the Official Action mailed July 30, 2002 and an Advisory Action mailed on December 9, 2002. Claims 1 through 39 are pending; claims 1 and 3 have been amended.

The Examiner continues to rely upon Ramsden et al. in rejecting all claims as being anticipated or obvious, and further relies upon Scolly et al. as a secondary reference in rejecting dependent claim 17. Applicant respectfully traverses these rejections.

Even were the device of Ramsden et al. actually deployed, the resulting system would not satisfy the limitations of the claims now pending. Ramsden et al. provide no mechanism to protect a package once delivered whereas the invention of claim 1 provides a secure receptacle at the delivery destination indicated on a package, once delivered by the courier. Claim 1, for example, specifies that the carrier is provided with a parcel, the carrier is dispatched to a location in accordance with delivery instructions associated with the parcel, and that such location corresponds to the address in the delivery instructions. In contrast, Ramsden provides a kiosk in which packages are centrally dropped off by *customers* for delivery to destinations indicated on respective packages, but there is no secure receptacle for receiving the packages once the parcel is thereafter delivered by the courier. Thus, the invention would, at a minimum, augment and complement the system of Ramsden et al.

Whatsoever, the invention of claims 11 and 12 address needs not recognized nor accommodated by Ramsden et al. Specifically, Ramsden et al. requires senders to bring packages to centrally located facilities, whereas the claims concern systems and methods that

permit packages to be securely held for pick-up by a courier at arbitrary locations such as a home or office, and permit the courier to retrieve such packages without the need for the sender to wait for the courier. Claim 11, for example, recites that a carrier is dispatched to the location of a secure receptacle in response to a pick-up request in which the pick-up request includes an identification of the location of the secure receptacle (as well as the identification of the carrier to be used) and that the pick-up request is transmitted to a remote location associated with the carrier. In other words, carriers are purposefully dispatched to specific locations in response to pick-up requests that are issued from arbitrary locations such as a house, a neighboring house, and a house around the corner.

Likewise, claim 12 labels the parcel "with shipping information, including an identification of the location of the secure receptacle," and so the carrier is again notified of information which includes the arbitrary location of the receptacle.

In contrast, Ramsden et al. have couriers making appointed rounds to see which kiosks have packages assigned to them. The couriers in the Ramsden et al. must visit prescribed locations because there is no mechanism taught or suggested for transmitted pick-up requests. At each location, there is a "manifest" which identifies all of the packages at one predetermined location, namely, the location of the kiosk, and which specifies the particular packages that a given carrier is to pick up. As explained by Ramsden et al.:

if the delivery service person indicates that the check-off sheet printed satisfactorily through keypad 28, the service person, who has previously opened manifest access door 86 to obtain access to the manifest printer 90, will open the first service access door 34 and retrieve the packages which

have been selected for his particular delivery service.

See Col. 11, lines 21-26. Hence, the carrier must go to the predetermined location of that kiosk to obtain the manifest. Once the packages have been so retrieved, normal delivery can proceed. Accordingly, the teaching of the Ramsden et al. patent is that a carrier be dispatched to a predetermined location independent of any instructions associated with any packages. Consequently, and in contrast to claims 11 and 12, there is no location data specified in Ramsden et al. because the carrier is already bound to visit each kiosk in his or her route. In claims 11 and 12, the location of the secure receptacle is provided to the carrier so that the carrier is informed that there is a package ready to be picked up. Ramsden et al. completely avoid this issue by always dispatching the carrier to a known location as exemplified in the following passages:

As noted above with respect to the other embodiments, parcels and envelopes in the storage area are picked up regularly by the service delivery persons.

Col. 23, lines 48-50.

The retail clerk then places the package in an appropriate location for subsequent pick-up by a commercial carrier.

Col. 25, lines 4-6.

. . . and place the package or envelope 708 in a secure storage area until the carrier comes to pick up the packages and envelopes.

One or more times each working day, the carrier will come around and pick up packages and

envelopes that are received and stored for shipment in the manner just described.

Col. 29, lines 17-23.

In each instance, the shipping information identifying the location of the server receptacle is superfluous because Ramsden does not contemplate personal receptacles which only sporadically may contain a package for pickup, but rather contemplates centralized locations as drop-off points for multiple users.

Consequently, Applicant sees no basis for reading Ramsden as disclosing any guidance to a carrier as to the location of a parcel to be picked up. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 11 and 12.

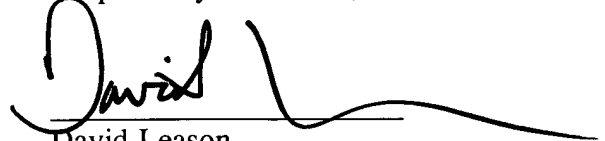
Ramsden always has packages placed in a secure receptacle by a sender for subsequent pick-up by a carrier, precisely as the Examiner has noted. This, however, differs substantially from the claimed invention in which carriers are dispatched to the location of a secure receptacle in accordance with instructions associated with the parcel. It is the carrier who is advised of the location of the secure receptacle so that the carrier can go place the package within it and lock the receptacle. In this way, a multiplicity of the secure receptacles can be arbitrarily placed throughout a region and the carrier is dispatched to any and all of these locations to pick-up packages from a secure location for delivery elsewhere. Ramsden does not disclose a system or method of this type. Rather, Ramsden has the carrier always going to a predetermined location to pick up packages that have been dropped off by senders. The packages of Ramsden do not include instructions that cause the carrier to be dispatched to that predetermined location. In contrast, the method of claim 1 has the carrier dispatched to

the location of the secure receptacle in accordance with delivery instructions associated with the parcel.

The Advisory Action did not address the features of claim 29, which Applicant submits distinguishes patentably over Ramsden et al. Ramsden does not disclose a receptacle which secures an interior space from the exterior of the edifice yet which has an unsecured opening in the interior side of the edifice. This permits persons who rightfully have access to the edifice to gain access to the inside of the receptacle. The features of Ramsden cited by the Examiner relate to interior doors within the kiosk and do not relate to the structure of claim 29 which instead concerns an exteriorly-accessible, unsecured opening on the interior side of an edifice. The amendments in the entered Amendment after Final made this distinction more explicit and are not believed to narrow the claim: the receptacle already had an interior and a secure opening so as to prevent access to the interior. Reconsideration and withdrawal of the rejections against claim 29 are requested.

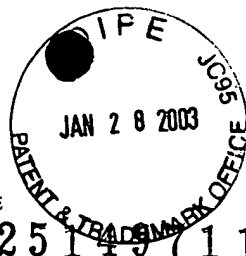
The Examiner is invited to contact the undersigned if he perceives of a basis for resolving any outstanding issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David', with a long, sweeping horizontal line extending to the right.

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PATENT TRADEMARK OFFICE

Docket No: 2849/0G277

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Clifford C. THOMPSON

Serial No.: 09/454,770

Group Art Unit: 3623

Confirmation No.: 4218

Filed: December 3, 1999

Examiner: Robinson Boyce, Akiba

For: RESIDENTIAL AND BUSINESS LOGISTICS SYSTEM AND METHOD

MARK-UP FOR PRELIMINARY AMENDMENT OF JANUARY 28, 2003
PURSUANT TO 37 C.F.R. §1.121

Assistant Commissioner for Patents
Washington, DC 20231

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IN THE CLAIMS:

GROUP 3600

1. A method for delivering a parcel by a carrier to a secure receptacle at a location, comprising the steps of:
 - (a) providing the parcel to the carrier and dispatching the carrier to the location in accordance with delivery instructions associated with the parcel, the location corresponding to the address on the delivery instructions;

(b) accessing the secure receptacle ;
(c) placing the parcel within the secure receptacle;
(d) securing the secure receptacle; and
(e) automatically registering the placement of the parcel within the secure receptacle after the securing step.

3. (Amended) The method as in claim 1, the registering step including the additional steps of:

accessing a remote location by a communication link; and
conveying the placement data to the remote location;
wherein the registering step is in response to and contemporaneous[ly]
with the securing step.